

1                                   **HOUSE CONCURRENT RESOLUTION NO. 135**  
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3           (By Delegates Morgan, Stephens, Cann, Butcher, Ferns, Givens,  
4           Hall, Hartman, Jones, Martin, Phillips, R., Staggers, Talbott,  
5           Azinger, Householder, Kump, O'Neal, Nelson, Romine, Snuffer and  
6                                   Storch)  
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8                   [Originating in the Committee on Government Organization;  
9                                   March 4, 2011]

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11           Requesting that the Joint Committee on Government and Finance  
12           authorize a study of the authority of participating municipalities  
13           in the municipal home rule pilot projects to propose plan  
14           amendments.

15           WHEREAS, The Legislature authorized five municipal home rule  
16           pilot projects in order to address a variety of challenges facing  
17           local governments; and

18           WHEREAS, Municipal home rule pilot projects are scheduled to be  
19           evaluated before July 1, 2012; and

20           WHEREAS, In addition to evaluating the effectiveness of  
21           expanded home rule pilot projects, municipalities may have  
22           financial needs and constraints that may not be sufficiently  
23           addressed in the authorizing legislation; and

24           WHEREAS, the Legislature is concerned about potential conflicts  
25           as to the authority of pilot municipalities and school boards to  
26           construct school buildings; and

27           WHEREAS, The Legislature is concerned about pilot  
28           municipalities adopting ordinances, rules or regulations which  
29           alter the tax structure or taxing authority without submitting the

1     issue to the voters;   and

2             WHEREAS,   The   Legislature   is   committed   to   providing  
3   municipalities with practical methods, policies and procedures  
4   sufficient to address the various challenges facing municipalities;  
5   therefore, be it

6             *Resolved by the Legislature of West Virginia:*

7             That the Joint Committee on Government and Finance is hereby  
8   requested to authorize a study of the authority of participating  
9   municipalities in the municipal home rule pilot projects to propose  
10   plan amendments; and, be it

11            *Further Resolved,* That the Joint Committee on Government and  
12   Finance report to the Regular Session of the Legislature, 2012, on  
13   its findings, conclusions and recommendations, together with drafts  
14   of any legislation necessary to effectuate its recommendations;  
15   and, be it

16            *Further Resolved,* That the Legislative expenses necessary to  
17   conduct this study, to prepare a report and to draft necessary  
18   legislation be paid from legislative appropriations to the Joint  
19   Committee on Government and Finance.